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EXAMINER

BARQADLE, YASIN M

ART UNIT PAPER NUMBER

2153

DATE MAILED: 05/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/468,447

Applicant(s)

MORROW ET AL.

Examiner

Yasin M. Barqadle

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) 3 and 15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-2, 4-14 and 16-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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### Response to Amendment

1. Applicant's arguments filed 02/23/05 has been have been fully considered but are not deemed to be persuasive.

- Claims 3 and 15 have been canceled.
- Claims 1,2,4-14 and 16-35 are presented for examination.

### Response to Arguments

In response to applicant argument on page 4, first paragraph that "Knox system searches the database based on the client and then notifies same ..., the present invention as recited in the claims starts with the status information and work to the customer, while the Knox system in contrast starts with the client and works towards the status information". Examiner disagrees and would to direct applicant's attention to page 1, paragraphs 0017-0021 where Knox states "the invention is a system for providing status information to a client based on data residing in an electronic database. The database of the information is maintained and updated, and is periodically analyzed by the inventive system to determine whether at least a portion of the data has changed since the last analysis. If so,

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the client is automatically informed by the system, which initiates an automatic voice response call out to the client. Thus, Knox clearly teaches periodically analyzing status information for a new piece of information (updated information) since the last analysis and automatically informing the client (interested party) about the updated status information. Knox also teaches an automatic notification mode as the status of a project is changed (page 2, paragraph 0025).

In response to applicant's argument on page 6, last paragraph, that "neither the Knox reference nor the Fisher reference discloses, teaches, or suggests, alone or combined, an internal mail device that receives status information and that ascertains from the received status information an interested party". Examiner contends that, Knox teaches an automatic voice response (AVR) call out to the client system in addition to communicating with the client via email, pager and telephone (paragraph 0013 and 0021). Knox teaches an electronic database updated by an e-file. The database of the information is maintained and updated (paragraphs 0013 and 0018-0019), these updated information is sent to the clients electronically via email, pager and telephone. Since Knox teaches notifying clients automatically by email or by telephone (paragraphs 0025 and 0026) when project status is changed, he must locate client

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telephone numbers or email addresses prior to establishing any communication. Furthermore, the references as combined teach the internal mail device as shown in Fisher et al fig. 2 and fig. 5, paragraphs 0023-28].

In response to applicant's argument on page 7, first paragraph, that " neither the Knox reference nor the Fisher reference discloses, teaches, or suggests, alone or combined, an ID database, or that a status system tags status information stored therein with an ID identifying the interested part, or the ID database includes a record having the ID and the electronic mail address for interested part." Examiner contends that the combined reference of Knox and Fisher teach this limitation. For example, Knox teaches change records 14 (database) where a list of clients and the current status to be reported to the inquiring client (interested party) reside. The clients are automatically updated upon a change of status of the company database via email, pager and telephone ¶ 0019-0023). The Company database contains current status of an electronically filed tax return (¶0018 and 0025). It is well known to use social security numbers as an ID to identify clients as suggested by Knox ¶ 0025-0028). Therefore, Knox obviously teaches ID database to identify who to notify and what means to use in notifying clients (email, pager, or telephone). As for

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tagging status information, Fisher teaches setting a flag on a particular database record indicting a change in status) [page 2, ¶ 0023-24] to indicate what records have un "Update Status" flag set and if so, the appropriate status record is fetched from the status database where customers are provided with the latest status information immediately via electronic mail [page 1, ¶ 009 and page 2, ¶ 0026-27].

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1,2,4-14 and 16-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knox Pub. No. (20030103605) in view of Fisher et al Pub. No. (20030088473).

As per claim 1, Knox teaches a status reporting system (SRS) for automatically reporting updated status of a project to an

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interested party based on status information stored in a status system, the SRS being communicatively coupled to the status system and comprising (abstract):

a monitoring device (call out manager 16 and change records 14, fig. 1, paragraphs 0017-0020) contacting the status system to determine whether such status system has new status information stored therein and obtaining such new status information from the status system [database status changes are reported to clients automatically or upon client's request page 1, ¶ 0017. See also ¶ 0019]; and

an internal mail device receiving the obtained status information (status information residing in an electronic database is updated by an e-file and clients are notified automatically via e-mail ¶ 0013 and ¶ 0027-0028), ascertaining from the received status information the interested party (system identifies clients who may have requested status information communication ¶ 0023-0026), locating an electronic mail address for the interested party (communicating via e-mail, one must inherently locate the e-mail address of the client page 1, ¶ 0008 and ¶ 0026), formatting the received status information into a piece of electronic mail which includes the received status information and the located electronic mail address, and forwarding the piece of electronic

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mail to the interested party by way of an electronic mail service [page 2, ¶ 0019-0026].

the SRS of further comprising ID database (change record 14, fig. 1, contains fields where data is stored and a list of clients to be notified page 2, ¶ 0019-23), the status system information stored therein with an ID identifying the interested party, the database including a record having the ID and the electronic mail address for the interested party (change records 14 reside a list of clients and the current status to be reported to the inquiring client), and the internal mail device locating the electronic mail address for the interested party from the database based on the ID (tagged see Fisher below) to the received status information [page 2, ¶ 0019-0026].

Although Knox shows substantial features of the claimed invention, he is silent regarding tagging the status information.

Nonetheless, this feature is well known in the art and would have been an obvious modification of the system disclosed by Knox as evidenced by Fisher et al Pub. No. (20030088473). In analogous art, Fisher et al whose invention is a system for updating automatic status update using electronic mail, disclose tagging the status information (setting a flag or a particular database record indicting a change in status) [page 2, ¶ 0023-



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24]. Giving the teaching of Fisher et al where setting a flag on a particular database record indicates a change in status information, a person of ordinary skill in the art would have readily recognized the desirability and the advantage of modifying Knox by employing the system of Fisher et al because it will indicate what records have an "Update Status" flag set and if so, the appropriate status record is fetched from the status database where customers are provided with the latest status information immediately via electronic mail [page 1, ¶ 009 and page 2, ¶ 0026-27].

As per claim 2, Knox teaches The SRS of claim 1 wherein the electronic mail service is selected from a group consisting of an Internet E-Mail mail service, an Internet voice mail service, and a telephone-based voice mail service, and wherein the internal mail device formats the received status information into a piece of electronic mail compatible with the selected electronic mail service [page 2, ¶ 0021-0026].

As per claim 4, Knox teaches the SRS of claim 1 wherein the ID database includes a record having the ID and electronic mail addresses for a plurality of interested parties, and wherein the

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internal mail device locates the electronic mail addresses for the plurality of interested parties from the ID database based on the ID tagged to the received status information, formats the received status information into a piece of electronic mail which includes the received status information and the located electronic mail addresses, and forwards the piece of electronic mail to the plurality of interested parties by way of the electronic mail service [page 2, ¶ 0019-0026].

As per claim 5, Fisher et al teach the SRS of claim 1 further comprising a status database including status data, the monitoring device referring to the status data in the status database in conjunction with determining whether the status system has new status information stored therein [page 2, ¶ 0023-0027].

As per claim 6, Knox teaches the SRS of claim 5 wherein the status data in the status database includes previous status information obtained from the status system for the project, and wherein the monitoring device compares the status information for the project as stored in the status database and the status information for the project as stored in the status system and

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notes differences that identify the new status information [page 2, ¶ 0019-0025]. See also Fisher et al page 2, ¶ 0023-0027].

As per claim 7, Knox teaches the SRS of claim 6 wherein the status database is updated with the new status information [page 2, ¶ 0019-0023].

As per claim 8, Knox teaches the SRS of claim 5 wherein each piece of status information stored in the status system is tagged with a time stamp, wherein the status data in the status database includes a time indicative of a last contact review of the status system by the monitoring device, and wherein the monitoring device obtains from the status system only those pieces of status information stored therein that have a time stamp later than the time of the last review as stored in the status database [page 2, ¶ 0017-0020 and ¶ 0025-0028].

As per claim 9, Knox teaches the SRS of claim 8 wherein the status database is updated with time indicative of the present review [page 2, ¶ 0017-0020 and ¶ 0025-0028].

As per claim 10, Fisher et al teaches the SRS of claim 1 wherein the monitoring device contacts the status system and obtains the

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new status information therefrom automatically on a periodic basis [page 2, ¶ 0026-0027].

As per claim 11, Knox teaches the SRS of claim 1 for automatically reporting updated status of a plurality of projects to corresponding interested party based on status information stored in the status system, wherein the internal mail device receives obtained pieces of status information, ascertains from each received piece of status information the corresponding interested party, locates an electronic mail address for the corresponding interested party, formats the received piece of status information into a piece of electronic mail which includes the received piece of status information and the located corresponding electronic mail address, and forwards the piece of electronic mail to the corresponding interested party by way of the electronic mail service [page 2, ¶ 0017-0028].

As per claim 12, Knox teaches the SRS of claim 1 further comprising a memory storing the obtained new status information [page 2, ¶ 0019-0023].

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As per claim 13, this is a method claim with similar limitations as claim 1 above. It is rejected for the same reasons as explained in claim 1 above.

As per claim 14, Knox teaches The SRS of claim 13 wherein the electronic mail service is selected from a group consisting of an Internet E-Mail mail service, an Internet voice mail service, and a telephone-based voice mail service, and wherein the internal mail device formats the received status information into a piece of electronic mail compatible with the selected electronic mail service [page 2, ¶ 0021-0026].

As per claim 16, Knox teaches the method of claim 13 comprising ascertaining a plurality of interested parties from an ID identifying the plurality of interested parties and ((tagged see Fisher et al ¶ 0023-24) to the received status information and locating an electronic mail address for each interested party based on the ID ((tagged) see Fisher et al ¶ 0023-24)) to the received status information [page 2, ¶ 0019-0026].

As per claim 17, Fisher et al teach method of claim 13 further comprising referring to status data in conjunction with

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determining whether the status system has new status information stored therein [page 2, ¶ 0023-0027].

As per claim 18, Knox teaches the method of claim 17 wherein the status data includes previous status information obtained from the status system for the project, the method comprising comparing the previous status information for the project and the status information for the project as stored in the status system and noting differences that identify the new status information [page 2, ¶ 0017-0025].

As per claim 18, Knox teaches the method of claim 18 comprising updating the status data with the new status information [page 2, ¶ 0019-0023].

As per claim 19, Knox teaches the method of claim 17 wherein each piece of status information stored in the status system is tagged with a time stamp, and wherein the status data includes a time indicative of a last contact review of the status system, the method comprising obtaining from the status system only those pieces of status information stored therein that have a time stamp later than the time of the last review as stored in the status data [page 2, ¶ 0017-0020 and ¶ 0025-0028].

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As per claim 21, Knox teaches the method of claim 20 comprising updating the status data with a time indicative of the present review [page 2, ¶ 0017-0020 and ¶ 0025-0028].

As per claim 22, Knox teaches the method of claim 13 comprising contacting the status system and obtaining the new status information therefrom automatically on a periodic basis [page 2, ¶ 0017-0023].

As per claim 23, Knox teaches the method of claim 13 comprising automatically reporting updated status of a plurality of projects to corresponding interested party based on status information stored in the status system [page 2, ¶ 0019-0023].

As per claim 24, Knox teaches the method of claim 13 further comprising storing the obtained new status information in a memory [page 2, ¶ 0019-0023].

As per claims 25-35 are computer-readable medium claims that correspond to claims 13-24 above, therefore, they are rejected with same rationale.

### Conclusion

1. **ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yasin Bargadle whose telephone number is 571-272-3947. The examiner can normally be reached on 9:00 AM to 5:30 PM.




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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on 571-272-3949. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Yasin Barqadle

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